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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: July 9 2004 Name: John C. Freeman

Account No. 23-1925.

My 9, 2004

_ Signature:

BRINKS HOFER GILSON &LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re	Appln. of:	Christe	opher .	Jude Amies et a	ıl.		- 1					
Appln. No.: 10/808,215						Examiner: Unassigned						
Filed: March 24, 2004							Art Unit: 2882					
For:			•	ERAPY REDEFI	NITION							
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Attor	ney Docke	t NO.	2002	P12618US01								
Comm P. O. I	top Amendm nissioner for F Box 1450 ndria, VA 22	Patents) .				Т	RANSI	ΛIΤ	TAL		
Sir:												
Attacl	ned is/are:											
\boxtimes	Transmittal I	Letter (in	duplicat	te); Information Disc	closure Sta	ate	ment; PT	O 1449.				
\boxtimes	Return Rece	eipt Posto	ard									
Fee c	alculation:											
\boxtimes	No additiona	al fee is re	equired.									
	Small Entity											
	An extension	n fee in a	n amou	nt of \$ for a _	mon	th	extension	n of time un	der :	37 C.F.R.	§ 1.136(a).	
	A petition or	processi	ng fee ii	n an amount of \$	under	37	C.F.R. §	1.17(_).			
	An additiona	l filing fe	e has be	een calculated as sl	nown belov	W:						
						ĺ	Sma	II Entity		Not a S	Not a Small Entity	
	Claims Re	_		Highest No. Previously Paid For	Present Extra		Rate	Add'l Fee	or	Rate	Add'l Fee	
Total			Minus			П	x \$9=			x \$18=		
Indep.			Minus			Ш	x 43=			x \$86=		
First P	resentation of I	Multiple De	ep. Claim	1		Ц	+\$145=			+ \$290=		
						Į	Total	\$		Total	\$	
Fee p	ayment:											
	A check in the amount of \$ is enclosed.											
	Please charge Deposit Account No. 23-1925 in the amount of \$. A copy of this Transmittal is enclosed for this purpose.											
	Payment by credit card in the amount of \$ (Form PTO-2038 is attached).											
\boxtimes	The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.1 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including ar extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Depos											

Respectfully supmitted

John . Freeman (Reg. No.34,483)



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on July 9, 2004.

Name of Registered Representative:

John F. Freeman, Reg. No. 34,483

PATENT CASE NO. 2002P12618US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:)
Christopher Jude Amies et al.)) Group Art Unit: 2882
U.S. Application Serial No.: 10/808,215)))
Filed: March 24, 2004) Examiner: unassigned)
For: ACTIVE THERAPY REDEFINITION)

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with Applicants' duty of disclosure under 37 C.F.R. § 1.56 and in conformance with 37 C.F.R. §§ 1.97-1.98, Applicants hereby submit the following references for

consideration by the Examiner. Copies of the cited U.S. Patents and U.S. Patent Application

Publication are not being supplied pursuant to the waiver of the rules presented in the U.S. Patent
and Trademark Office Official Gazette Notice dated August 5, 2003. Furthermore, enclosed is a
completed copy of Form PTO-1449.

I. <u>DISCLOSURE</u>

A. <u>U.S. Patents</u>

Patent No.	Inventor	<u>Issue Date</u>
5,207,223	Adler	05/04/93
5,317,616	Swerdloff et al.	05/31/94
5,394,452	Swerdloff et al.	02/28/95
5,427,097	Depp	06/27/95
5,430,308	Feichtner et al.	07/04/95
5,442,675	Swerdloff et al.	08/15/95
5.528,650	Swerdloff et al.	06/18/96
5,548,627	Swerdloff et al.	08/20/96
5,625,663	Swerdloff et al.	04/29/97
5,668,371	Deasy et al.	09/16/97
5.673,300	Reckwerdt et al.	09/30/97
6,144,875	Schweikard et al.	11/07/00

Patent No.	Inventor	Issue Date
6,345,114 B1	Mackie et al.	02/05/02
6,385,286 B1	Fitchard et al.	05/07/02
6,438,202 B1	Olivera et al.	08/20/02
6,501,981 B1	Schweikard et al.	12/31/02
6,560,311 B1	Shepard et al.	05/06/03
6,618,467 B1	Ruchala et al.	09/09/03
6,636,622 B2	Mackie et al.	10/21/03
6,661,870 B2	Kapatoes et al.	12/09/03

B. <u>U.S. Patent Application Publications</u>

Publication No.	<u>Inventor</u>	Publication Date
US 2002/0080912 A1	Mackie et al.	06/27/02
US 2002/0150207 A1	Kapatoes et al.	10/17/02

II. <u>CONCLUSION</u>

It is believed that none of these references, alone or in combination, disclose or suggest the invention claimed. Note that the submission of the references should not be construed as an admission that any of the references qualify as prior art. It is Applicants' desire, however, to have these references available in the record for both the Examiner and the public to see. Applicants therefore request that the Examiner review the entire disclosure of each reference and make the

above-listed references of record.

Respectfully submitted,

John C. Freeman

Registration No. 34,483 Attorneys for Applicants

BRINKS HOFER GILSON & LIONE P.O. Box 10395 Chicago, Illinois 60610

(312) 321-4200

Dated: July 9, 2004

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FORM PTO-1449	SERIAL NO.	CASE NO.
THE PARTY OF THE P	10/808,215	2002P12618US01
LIST OF PATENTS AND PUBLICATIONS FOR	FILING DATE	GROUP ART UNIT
APPLICANT'S INFORMATION DISCLOSURE	March 24, 2004	2882
STATEMENT		
(use several sheets if necessary)	APPLICANT(S): Christopher Ju	de Amies et al.

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER Number-Kind Code (if known)	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	5,207,223	05/04/93	Adler		· · · · · · · · · · · · · · · · · · ·
	A2	5,317,616	05/31/94	Swerdloff et al.		
	A3	5,394,452	02/28/95	Swerdloff et al.		
	A4	5,427,097	06/27/95	Depp		
	A5	5,430,308	07/04/95	Feichtner et al.		
	A6	5,442,675	08/15/95	Swerdloff et al.		
	A7	5,528,650	06/18/96	Swerdloff et al.		
	A8	5,548,627	08/20/96	Swerdloff et al.		
	A9	5,625,663	04/29/97	Swerdloff et al.		
	A10	5,668,371	09/16/97	Deasy et al.		
	A11	5,673,300	09/30/97	Reckwerdt et al.		
	A12	6,144,875	11/07/00	Schweikard et al.		
	A13	6,345,114 B1	02/05/02	Mackie et al.		
	A14	6,385,286 B1	05/07/02	Fitchard et al.		
	A15	6,438,202 B1	08/20/02	Olivera et al.		
	A16	6,501,981 B1	12/31/02	Schweikard et al.		
	A17	6,560,311 B1	05/06/03	Shepard et al.		
	A18	6,618,467 B1	09/09/03	Ruchala et al.		
	A19	6,636,622 B2	10/21/03	Mackie et al.		
	A20	6,661,870 B2	12/09/03	Kapatoes et al.		
	A21	US 2002/0080912 A1	06/27/02	Mackie et al.		
	A22	US 2002/0150207 A1	10/17/02	Kapatoes et al.		

EXAMINER	DATE CONSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.